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Docket Number DM-6909-B

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent via United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Rosemarie R. Wilk-Orescan, Esq.

Type or print name


Signature

January 23, 2002

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Arner et al.

Art Unit: 1644

FEB 22 2002

Application No: 09/634,287

Examiner: Patrick J. Nolan

TECH CENTER 1600/2900

Filed: August 9, 2000

For: Aggrecan Degrading Metallo Proteases

Assistant Commissioner for Patents
Washington, D.C. 20231

Response to Notice to Comply 37 CFR §§ 1.821-1.825

Sir:

The enclosed computer readable form of the Sequence Listing is submitted in response to the Office Action in the present application mailed December 18, 2001, having an extendible response time of one month. A Petition for an Extension of Time for one (1) months, until February 18, 2002, is enclosed herewith to permit a timely response.

Applicants have enclosed in this mailing a copy of a certification indicating transfer of the ownership of the present application from Dupont Pharmaceuticals Company to Bristol-Myers Squibb Company and a list of the attorneys/agents who are permitted to prosecute the application before the United States Patent and Trademark Office.

The Examiner has objected to the nucleotide/amino acid sequence disclosure as failing to comply with the requirements of CFR §1.821 through §1.825 because the computer readable form was not submitted. Applicants have enclosed with this response a new

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computer readable sequence listing, with a paper copy provided for the convenience of the Examiner. Applicants draw the Examiner's attention to an apparent typographical error in the case as originally filed. The paper copy (pages 41-67 of the case as originally filed) did not contain a SEQ ID NO:3, and therefore the newly submitted computer readable form does not contain a SEQ ID NO:3. The current application contains a total of 20 sequences numbered from SEQ ID NO:1 through SEQ ID NO:21.

Applicants certify that the newly submitted computer readable form and the written sequence listing originally filed are the same and do not contain any new matter. Support for the newly submitted sequence listings can be found on pages 47-61, and throughout the specification as originally filed. Applicants believe they are now in compliance with CFR §1.821 through §1.825.

Respectfully submitted,



Rosemarie R. Wilk-Orescan, Esq.
Attorney for Applicants
Reg. No. 45,220

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
609-252-3575

Date: *23 January 2002*

Application 09/634,287



App. n N : 09/634,287

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

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Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

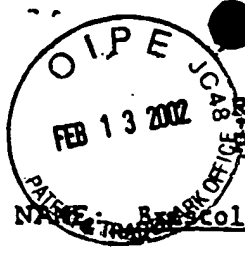
For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

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SUPPLEMENTAL CERTIFICATE

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NEW CASTLE COUNTY

6 Del C. Ch. 31

REGISTRATION OF TRADE NAMES
PARTNERSHIPS & ASSOCIATIONS

TRADE NAME: Bristol-Myers Squibb Pharma Company (Original File No. 20170)

Business Address: 203 Longmeadow Drive, Wilmington, DE 19810

Telephone Number: _____

Title of Person, Firm or Association: Bristol-Myers Squibb Pharma Company

Names and addresses of all owners, members, or partners comprising the firm:

LAST NAME	FIRST NAME	ADDRESS
<u>E.R. Squibb & Sons, L.L.C.</u>		<u>345 Park Ave., New York, NY 10154</u>
<u>Bristol-Myers Squibb Pharma Holding Company, LLC</u>		<u>345 Park Ave., New York, NY 10154</u>
_____	_____	_____
_____	_____	_____

Date of ^{change} formation: October 2, 2001

Nature of ^{change} business: Title of partnership has changed from "DuPont

Pharmaceutical Company" to "Bristol-Myers Squibb Pharma Company" and
partners have changed from E.I. du Pont de Nemours and Company and DuPont
STATE OF DELAWARE Pharma, Inc. to E.R. Squibb & Sons, L.L.C. and
NEW CASTLE COUNTY Bristol-Myers Squibb Pharma Holding Company, LLC

QUEENS

BEFORE ME, the subscriber, a Notary Public of the State of Delaware, personally appeared Sandra Leung, Secretary of Bristol-Myers Squibb Pharma Company, a principal in the business described in the foregoing Certificate, who, having first been sworn by me according to law did depose and say as follows:

1. He/She is a principal in the business described in the foregoing certificate.
2. That the foregoing information provided in the foregoing certificate is true, correct, and complete.

[Signature]
Affiant

SWORN AND SUBSCRIBED this 27 day of October, 2001.

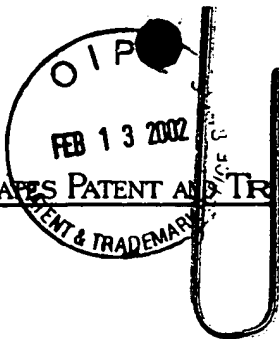
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CERTIFIED AS A TRUE COPY
WITEST: SHARON AGNEW
NOTARY
[Signature]

MAUREEN A. ROOS
Notary Public, State of New York
No. 01RO4826850
Qualified in Queens County
Commission Expires December 31, 2002

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CUSTOMER
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BRISTOL-MYERS SQUIBB PHARMA COMPANY
PATENT DEPARTMENT
P.O. BOX 4000
PRINCETON, NJ 08543-4000

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FAX: 609-252-4526

PHONE: 609-252-3342

E-MAIL:

Date Mailed: 12/07/2001

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P.J.

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